

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony Moosey on 11/7/08.

The application has been amended as follows:

Claim 19 is cancelled.

20. (Currently Amended) The article according to claim ~~19~~ 18, further including stored instructions to spill one or more virtual registers associated with the assembler code.

23. (Currently Amended) A development/debugger system, comprising:

a processor;

an assembler to generate microcode that is executable in a ~~processing element~~ said processor by processing assembler code to avoid a register bank allocation error including at least one of a register bank conflict and insufficient number of physical registers in target hardware;

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automatically manipulating instructions to avoid the register bank allocation error;  
coloring a register graph to detect the register bank conflict;  
identifying registers adjacent to each other in the graph having the same color; and  
finding a shortest path having an odd length connecting the registers adjacent to  
each other having the same color.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on (571) 272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JC/

/John Chavis/  
Primary Examiner, Art Unit 2193